

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket 054800-5004

PATENT

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In re Application of: **Roderic Dale et al.**

Application No. **09/223,957**

Filed: **December 31, 1998**

For: **Method for Nucleic Acid Preparation**

Examiner: **Howard Owens**

Group Art Unit: **1623**

Box RCE

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. 1.114

This is a request for continued examination under 37 C.F.R. 1.114 of application 09/223,957 (filed December 31, 1998) entitled Method for Nucleic Acid Preparation.

1. Please consider and enter the Reply Under 37 C.F.R. 1.116 previously filed on August 29, 2001 (copy attached). In a telephone conversation with the Examiner with Applicants' agent on November 27, 2001, the Examiner indicated he did not receive the reply filed on August 29, 2001 by Applicants' previous attorney of record. At the Examiner's request, copy of the reply was transmitted via facsimile on November 27, 2001 to the attention of Rosa Thomas.

2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants petition for an additional three-month extension of time further extending the period for response from August 30, 2001 to November 30, 2001 as Applicants have previously petitioned and paid for a two-month extension of time with the amendment filed on August 29, 2001.

3. Fee Payment: A check in the amount of **\$1,155.00** for payment of the continued examination filing fee of \$370.00 and the additional three-month extension of time fee of \$785.00 is enclosed.

4. Revocation of power of attorney and grant of new power of attorney by assignee is attached. Enclosed is a copy of the Revocation of Original Power of Attorney and Grant of New Power of Attorney by the Assignee (Oligos Etc. Inc.) of the present application.

5. Please change the 12-digit Attorney Docket Identifier to **054800-5004**

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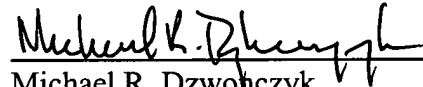
6. Please address all correspondence to:

Customer Number: 009629
Morgan, Lewis & Bockius LLP
1800 M Street, N.W.
Washington, D.C. 20036

7. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **Constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **November 30, 2001**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1800 M Street, N.W.
Washington, D.C. 20036
202-467-7000

Respectfully submitted
Morgan, Lewis & Bockius LLP



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